

IT IS HEREBY AGREED THAT:

1. Defendants Response to Plaintiffs First Amended Complaint:

- a) Defendants shall answer or move no later than September ¹⁵ 30, 2008, in response to Plaintiffs' First Amended Complaint. *MLB*

2. Non-Expert Discovery:

- a) Fact Discovery End-Date: The parties are to conduct discovery in accordance with the Federal Rules of Civil Procedure and the Local Rules of the Southern District of New York. All non-expert discovery is to be completed no later than *January 15* April 20, 2009, which date shall not be adjourned except upon a showing of good cause and further order of the Court. Interim deadlines for specific discovery activities may be extended by the parties on consent without application to the Court, provided the parties are certain that they can still meet the discovery completion date ordered by the Court.
- b) Document Discovery: Document production or inspection between and amongst the parties to this action shall be completed no later than *October 15* November 15, 2008. *MLB*
- c) Written Discovery: Written disclosures such as interrogatories or requests for admission shall be completed by no later than *November 15* December 15, 2008. *MLB*
- d) Third Party Document Discovery: All third party document discovery shall be completed by no later than February 20, 2009.
- e) Deposition Discovery: All party depositions shall be completed by no later than *December 15* March 20, 2009. All third-party depositions shall be completed by no later than *January 15* April 20, 2009. *MLB*

3. Expert Discovery:

- a) Expert Reports: Any and all expert reports shall be completed and served on all parties to this action no later than *February 27* June 10, 2009. *MLB*
- b) Expert Discovery End Date: Any and all expert depositions and/or non-trial testimony shall be completed by no later than *March 31* July 20, 2009. *MLB*

4. Dispositive Motions:

- a) Dispositive Motion Procedure: Upon the conclusion of non-expert discovery, and no later than the deadline provided below, the parties may file dispositive motions. The parties shall agree to a schedule, and promptly submit same for the Court's approval, providing for no more than three rounds of serving and filing papers: supporting affidavits and briefs, opposing affidavits and briefs, and reply affidavits and briefs.

NRK b) Dispositive Motion Deadline: Any and all dispositive motions shall be filed no later than August 20, 2009.

Aug 8

Dated: New York, New York
August 26, 2008

**BUCHANAN INGERSOLL &
ROONEY PC**

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Dated: *September 2, 2008*

SO ORDERED:


Hon. Naomi R. Buchwald, U.S.D.J.